# Before the Federal Communications Commission Washington D.C. 20554

In the Matter Of The Application of	)	
Windstream Services, LLC	)	
For An Automatic Grant of Authority	)	WC Docket No
To Discontinue Services Pursuant to	)	
Rule Section 63.71(i) and Section 214	)	
of the Communications Act of 1934	)	

### SECTION 63.71(i) APPLICATION OF WINDSTREAM SERVICES, LLC

Windstream Services, LLC ("Windstream"), on behalf of its competitive local exchange carrier affiliates A.R.C. Networks, Inc., ATX Licensing, Inc., Broadview Networks, Inc., and CTC Communications, Corp.,(collectively "Windstream"), through its undersigned counsel and pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. §214, and Section 63.71(i) of the Federal Communications Commission's ("Commission") rules, 47 C.F.R. §63.71(i), hereby files this Application for automatic grant of authority to discontinue the provision of BRI ISDN service (the "Affected Service") in the areas of hereinafter identified. In support of this Application, Windstream submits the following information:

- 1. Information listed in 47 C.F.R. § 63.71(a)(1)-(4) (47 C.F.R. § 63.71(b)(2)):
  - a. Name and Address of Carrier (47 C.F.R. § 63.71(a)(1)-(4), (b)(2)):

A.R.C. Networks, Inc ATX Licensing, Inc. Broadview Networks, Inc. CTC Communications Corp. 4001 North Rodney Parham Rd. Little Rock, AR 72212

### b. Date of Planned Discontinuance (47 C.F.R. § 63.71(a)(2), (b)(2)):

Windstream plans to discontinue the Affected Service on or about November 1, 2018.

#### c. Point of Geographic Areas of Service Affected (47 C.F.R. § 63.71(a)(3), (b)(2)):

The Affected Service will be discontinued in the areas of Columbia, MD; Bergen, East Orange, Englewood, Hackensack, Keyport, Montclair, Toms River, and Union City, NJ; White Plains, Long Island, New York (Manhattan), and Buffalo, NY; Kingston and Providence, RI, Boston, Franklin and Middleton, MA; and Harrisburg, Philadelphia, Pottstown and Tullytown, PA.

# d. Brief Description of the Type of Service to be Affected (47 C.F.R. § 63.71(a)(4), (b)(2)):

The service to be affected is BRI ISDN.

# 2. Brief Description of the Dates and Methods of Notice to All Affected Customers (47 C.F.R. § 63.71 (b)(3)):

On date July 18, 2018 Windstream sent by First Class U.S. Mail notice to all affected customers of the planned discontinuance. A copy of such notice is attached hereto as Attachment 1, which is compliant with, among other things, Section 63.71(a)(5) of the Commission's rules, 47 C.F.R. § 63.71(a)(5).

#### 3. Regulatory Classification of Carrier (47 C.F.R. § 63.71 (a)(4)):

Windstream is nondominant with respect to the services that it proposes to discontinue.

### 4. Service:

In accordance with Section 63.71(a)(1) of the Commission's rules, 47 C.F.R. § 63.71(a)(1), Windstream is submitting a copy of this Application by First Class U.S. Mail to the Maryland

Public Service Commission, the Massachusetts Department of Public Utilities, the New Jersey Board of Public Utilities, the New York Public Service Commission, the Pennsylvania Public Utility Commission, and the Rhode Island Public Utilities Commission, and to the Office of Maryland Governor, Larry Hogan, to the Office of Massachusetts Governor, Charlie Baker, to the Office of New Jersey Governor, Phil Murphy, to the Office of New York Governor, Andrew Cuomo, to the Office of Pennsylvania Governor, Tom Wolf, to the Office of Rhode Island Governor, Gina Raimondo and also to the Secretary of Defense (at the address given in 47 C.F.R. § 63.71(a)).

# 5. Additional Questions Regarding This Application May be Addressed to the Undersigned.

#### 6. Circumstances of Discontinuance.

Windstream provides the Affected Service across the above-identified areas via a copper-based network that Windstream leases from Verizon. Verizon is decommissioning the copper network in these locations and replacing it with newer fiber facilities. It is not technically feasible to provide the Affected Service via fiber loops -- i.e., the Affected Services are provided on end-of-life copper facilities that are scheduled to be decommissioned on or after November 1, 2018. Thirty-nine (39) customers in total will be affected: Thirty-Two (32) small/medium business customers and seven (7) enterprise business customers across these areas.

Customers will have the option to transition to alternative services delivered on Verizon's fiber network, via Windstream or through another provider.

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#### 7. Conclusion

Verizon's retirement of copper facilities is the direct cause of Windstream's proposed discontinuance of the Affected Service. Thus, automatic approval concurrent with the retirement is available pursuant Commission Rule 63.71(i), 47 C.F.R. § 63.71(i) and is appropriate here Accordingly, attached hereto as Attachment 2 is Windstream's certification in accordance with rule 63.71(i)(2), 47 C.F.R. § 63.71(i)(2). Windstream will take reasonable steps, to the extent that is able, to assure that the discontinuance of this service is not unduly disruptive to the present or future public convenience and necessity. Accordingly, Windstream respectfully requests that the Commission process this Application pursuant to Section 63.71(i).

Respectfully Submitted,

Edward J. Cadieux Regulatory Counsel

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July 20, 2018

#### **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Section 63.71 Application was served this 20th day of July 2018, by mailing true and correct copies thereof, postage prepaid, to the following persons to the addresses listed below.

Secretary of Defense Attn: Special Assistance for Telecommunications Pentagon Washington, DC 20301

Maryland Public Service Commission Attn: Terry J. Romine, Executive Secretary 16<sup>th</sup> Floor 6 Saint Paul Street Baltimore, MD 21202

Massachusetts Department of Public Utilities Attn: Mark D. Marini, Secretary One South Station Boston, MA 02110

New Jersey Board of Public Utilities Attn: Kristi Izzo, Secretary of the Board 44 So. Clinton Avenue Trenton, NJ 08609

New York Public Service Commission Attn: Kathleen H. Burgess, Secretary to the Commission Empire State Plaza Agency Building 3 Albany, NY 12223-1350

Pennsylvania Public Utility Commission Attn: Rosemary Chiavetta, Secretary 400 North Street Keystone Bldg. Harrisburg, PA 17120

Rhode Island Public Utilities Commission Attn: Ms. Luly Massaro, Commission Clerk 89 Jefferson Blvd. Warwick, RI 02888 Office of Governor Larry Hogan 100 State Circle Annapolis, Maryland 21401-1925

Office of Governor Charles D. Baker Statehouse, Room 280 Boston, MA 02133

Office of Governor Phil Murphy PO Box 001 Trenton, NJ 08625

New York Governor Andrew Cuomo State Capitol Albany, NY 12224

Pennsylvania Governor Tom Wolf 225 Main Capitol Bldg. Harrisburg, PA 17120

Edward J. Cadiery

Office of Rhode Island Governor Gina Raimondo State House Providence, RI 02903

Edward J. Cadieux

## Attachment 1

**Customer Notice** 

### Attachment 2

Certification Pursuant to Sec 63.71(i)(2)